



## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/882,949	06/15/2001	Sami Kekki	796.400USW1	1928	
22865 75	90 12/17/2002				
ALTERA LAW GROUP, LLC 6500 CITY WEST PARKWAY SUITE 100 MINNEAPOLIS, MN 55344-7704			EXAMINER		
			KNEPPER,	KNEPPER, DAVID D	
			ART UNIT	PAPER NUMBER	
			2654	8	
			DATE MAILED: 12/17/2002	DATE MAILED: 12/17/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Application No.   Og/882,949   KEKKI ET AL	•		<u> </u>			
## Examiner   David D. Knepper   2654    ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  ## THE MAILING DATE OF THIS COMMUNICATION.  ### THE MAILING DATE OF THIS COMMUNICATION.  ### THE WAILING DATE OF THIS COMMUNICATION.  #### THE WAILING DATE OF THIS CO		Application No.	Applicant(s)			
David D. Knepper 2554  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILINE DATE of FTHS COMMUNICATION.  I the period for the property is evaluable useder the provisionar of 37 CFR 1.136(a). In no event, however, rary a rap by be trinely find set set 51(c) (MONTHS from the mind) date of the communication.  If the period for rap's specified above is best from frinty (20) (abys, a reply within the statutory within the not of working the communication.  If the period for rap's specified above is best from the mind (20) (abys, a reply within the statutory within the not of working period to provisional and the first mainly date of this communication. If the period for rap's specified above is best from the mind (20) (abys, a reply within the set of working period to provisional period in the statutory within the set of working period to the communication. If the period for rap's specified above is best from the mind (20) (abys, a reply within the set of work). It is a closed to reply septiment period to the communication. If the period for rap's specified above is the statutory with period of the communication. It is a statutory with the set of working the mind period in the mailing date of this communication, even if threely field, may reduce any sense patient in adjustment to the communication.  Status  **Status**  **Application is pickness of the priod and the period of the mailing date of this communication.  **Application is pickness objected to the application.  **Application of Claims**  **Status**  **Application is pickness objected to by the Examiner.  **Application is objected to by the Examiner.  **Application is objected to by the Examiner.  **Application is proposed drawing correction filed on	Office Action Summani	09/882,949	KEKKI ET AL			
Prior of Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions from may be available under the provisions of 3 C/FF 1.13(qs), in no event, however, may a reply be timely filled attention (b) (b) MCMT/S from the realizing date may not require the provision of 3 C/FF 1.13(qs), in no event, however, may a reply be timely filled attention (b) (b) MCMT/S from the realizing date may not require the provision of 3 C/FF 1.13(qs), in no event, however, may a reply be timely filled attention (b) (b) MCMT/S from the realizing date of 3 C/FF 1.13(qs), in no event, however, may a reply be timely filled attention (b) (b) MCMT/S from the realizing date of the communication of the provision of the pr	Onice Action Summary					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  after \$32.69 (MONTHS* from the mailing date of this communication.  If he period for epsy specified stown, the maintum statutory period will apply and will easily \$32.69 (MONTHS* from the mailing date of this communication.  If No period for reply specified stown, the maintum statutory period will apply and will easily \$32.69 (MONTHS* from the mailing date of this communication.  If No period for reply specified stown, the maintum statutory period will apply and will easily \$32.69 (MONTHS* from the mailing date of this communication.  If No period for reply specified stown, the maintum statutory period will apply and will easily \$32.69 (MONTHS* from the mailing date of this communication.  Any reply received by the Official term the time of the amount after the mailing date of this communication, when if timely flead, may reduce any examined state term significant is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ○ Claim(s) 1-13 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  6) ○ Claim(s) 1-13 is/are rejected.  7) ○ Claim(s) is/are allowed.  6) ○ Claim(s) 1-13 is/are rejected to.  8) ○ Claim(s) 1-13 is/are rejected to.  8) ○ Claim(s) 1-13 is/are rejected to.  10) ○ The gradification is objected to by the Examiner.  10) ○ The drawing(s) filed on 15 June 2001 is/are: a) □ accepted or b) ○ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in aboyance. Sea 37 CFR 1.85(a).  11) □ The proposed drawing correction filed on is: a) □ approved by disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) □ The oath or declaration is objected to by the Examiner.  13) □ All b) □ Some * c) □ None of: □	The MAN INO DATE of this communication and					
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under be provided or the communication.  Extensions of time may be available under be provided or the communication of th	· ·	· · · · · · · · · · · · · · · · · · ·				
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-13 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) is/are objected to.  8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on 15 June 2001 is/are: a) accepted or b)  objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on is: a) aproved by  disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in Application No  3.  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-13 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on 15 June 2001 is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  Notice of References Cited (PTO-892)  3) Intermals Disclosure Statement(s) (PTO-149) Paper No(s) 5.  Notice of Informal Patent Application (PTO-152)  8) Other:	1) Responsive to communication(s) filed on 15 J	<u>une 2001</u> .				
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8	6)⊠ Claim(s) <u>1-13</u> is/are rejected.					
Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) ☐ The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) ☐ The translation of the foreign language provisional application has been received.  15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  11 ☐ Notice of References Cited (PTO-892)	7) Claim(s) is/are objected to.					
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Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.  12) The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a) The translation of the foreign language provisional application has been received.  15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.  Attachment(s)  1) Notice of References Cited (PTO-892)  All Dinterview Summary (PTO-413) Paper No(s)  3) Notice of Draftsperson's Patent Drawing Review (PTO-948)  5) Notice of Informal Patent Application (PTO-152)  3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.	<del>, _</del>					
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1. Applicant's correspondence filed on 15 June 2001 (IDS, paper #5) has been received and

considered. Claims 1-13 are pending.

The IDS was considered except for 2 references. The Search Report is not considered a

reference per se but is considered support for citing other references in that it provides a

statement of relevancy. The GSM reference (Mouly and Pautet) was not considered because the

copy only contained a listing of the table of contents without providing any relevant pages. It is

also noted that no indication of what pages of the GSM references might be relevant was

provided. See 37 CFR 1.98.

**Drawings** 

2. The drawings are objected to because figures 1-5 do not have reference numerals on all

boxes. Some of the boxes are labeled for reference from the specification but not all. Correction

is required.

<u>Claims</u>

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this

or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-13 are rejected under 35 U.S.C. § 102(a) as being clearly anticipated by

Kapadia (5,768,314).

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As per claim 1, "boosting data transmission" is taught or suggested by Kapadia in figure

3:

"speech coding at a lower transmission rate" (his half rate speech codec 30);

"speech parameters...areconverted into speech parameters of the second speech

coding method and the speech parameters to be transmitted to the terminal equipment on the first

transmission path are converted into speech parameters of he first speech coding method" (his

full/half rate service allows speech to be coded and decoded as necessary between the input and

output such that the half rate speech codec 30 for providing coded signals will be futher

processed to a full rate channel codec 20 and then later transferred a necessary to full or half rate

as the signal is transferred to/form his <u>hybrid channel processor 31</u> - see col. 3, lines 25-59).

Claims 2-13 are rejected under similar arguments as indicated above. The dependent

claims merely indicate the ability to transfer back and forth from 2 coding parameters which is

anticipated by the use of full and half rate coding in accordance with the GSM standard. The

locations of the codecs can vary as taught by Kapadia in col. 1, lines 50-67.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

TC2600 Fax Center

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Knepper whose telephone number is (703) 305-9644. The examiner can normally be reached on Monday-Thursday from 07:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached on (703) 305-4379.

Any inquiry of a general nature or relating to the status of this application should be directed to customer service whose telephone number is (703) 306-0377.

David D. Knepper Primary Examiner

Art Unit 2654

December 14, 2002